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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,292	08/30/2003	Mary B. Morris	BS02260	1806
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AT&T Legal Department Attn: Patent Docketing Room 2A-207 One AT&T Way Bedminster, NJ 07921			EXAMINER THEIN, MARIA TERESA T	
			ART UNIT	PAPER NUMBER
			3627	
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			01/22/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/652,292

Applicant(s)

MORRIS ET AL.

Examiner

MARISSA THEIN

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicants' "Response to July 29, 2008" filed on October 23, 2008 has been considered.

Applicants' remark by virtue of amendment to claim 1 has overcome the Examiner's objection.

Claims 1-10 are amended. Claims 11-22 are withdrawn. Claims 1-10 remain pending in this application.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The phrases "selection of at least one calling plan"; "subscribing to a calling plan"; and "a separate text file for each selected plan" (claim 10) are not described in the specification. Examiner points out paragraph 32, however, the paragraph does not recite "calling plan".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,337,901 to Rome et al. in view of U.S. Patent No. 5,659,601 to Cheslog.

Regarding claim 1, Rome discloses a method comprising: retrieving regional rate data for a customer from a local exchange routing guide system (col. 2, lines 1-22; col. 2, lines 43-44); retrieving the customer's billing record from a carrier accessing bill system, wherein the billing record is accessed from multiple customer operation units and multiple revenue accounting offices, and wherein the carrier access billing system maintains billing records for wholesale customers that purchase blocks of telephone capacity (col. 2, lines 23-25; col. 3, lines 32-37; col. 3, lines 59-65; col. 4, lines 2-3); associating the regional rate data with the billing record to create a merged rate and billing record for the customer (abstract; col. 2, lines 41-50; col. 3, lines 32-37); creating an access customer analysis database using the customer's merged rate and billing record (col. 4, lines 10-28); receiving a plan (col. 3, lines 40-41; col. 12, lines 55-67); querying the access customer analysis database for a plan (col. 4, lines 10-28; col. 12, lines 55-67); and calculating a credit the customer receives for subscribing to a plan (col. 4, lines 10-37; col. 12, lines 55-67).

However, Rome does not explicitly disclose a selection of calling plan and receiving a group access code, and access customer name abbreviation; and a month. Rome discloses the formulation of a customer-specific billing plan terms, conditions, and discounts (col. 3, lines 40-41). Rome discloses the creation and implementation of customer specific billing plans (col. 4, lines 38-39).

Cheslog, on the other hand, teaches calling plan (abstract) and receiving a group access code, and access customer name abbreviation; and a month (Figure 5; col. 5, lines 14-19).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Rome, to include teaches calling plan and receiving a group access code, and access customer name abbreviation, and a month, as taught by Cheslog, in order to provide accurate rate analysis for current and alternative service plans (Cheslog, col. 1, lines 45-46).

Regarding claims 2-8, Rome discloses accessing the access customer analysis database (col. 3, lines 59-62); creating an access carrier service rate and billing detail based on the merged rate and billing record (col. 2, lines 1-22; col. 2, lines 43-44; col. 4, lines 10-28); presenting an interactive graphical user interface for selecting a group of accounts under one access carrier customer , a relation between a plurality of access carrier customers, and unique access carrier customer-based information (col. 6, line 63-col. 7, line 4; col. 7, lines 14-29); presenting an interactive graphical user interface for selecting a customer identifier, a service agreement, etc (col. 6, line 63-col. 7, line 4; col. 8, lines 18-35; col. 12, lines 32-54; Figure 5); further comprising retrieving the

customer's information from a bill data tape (col. 4, lines 10-24; col. 6, lines 26-51); reporting the access carrier service rate and billing detail to the customer (col. 12, lines 32-67; Figure 5); using the access carrier service rate and billing detail to manage an access carrier rate and billing plan (col. 6, line 63-col. 7, line 4; col. 8, lines 18-35; col. 12, lines 32-54; Figure 5); and displaying at least one of alternate promotion codes, rate plans, and service agreements (col. 6, line 63-col. 7, line 4; col. 8, lines 18-35; col. 12, lines 32-54; Figure 5).

Regarding claims 9-10, Rome discloses retrieving data relevant to terms and conditions of the access carrier service rate and billing detail; calculating a discount; creating an other-charge-and credit based on the discount; and communicating the other-charge, and-credit to the carrier access billing system for inclusion to the plan (col. 9, lines 51-64; col. 4, lines 26-36); and creating a separate text file for each plan (col. 2, lines 10-13; col. 3, line 65-col. 4, line 1; col. 5, line 66-col. 6, line 1; col. 6, lines 31-35).

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Applicants remark that Rome does not disclose or suggest "retrieving regional rate data for a customer from a local exchange routing guide system" and "associating the regional rate data with the billing records to create a merged rate and billing record for the customer."

The Examiner does not agree. Rome discloses RBOC which uses the legacy technologies to administer customer accounts and track billing activities within their

individual regions (col. 1, lines 38-40). Customer operation units established by the RBOC to handle specific customer types and the regional accounting offices within the RBOC region formed to distribute the administrative and accounting functions of the RBOC. Each of these entities maintains information on customers in separate databases. (Col. 2, lines 1-7) Rome further teaches pulling data from the various RAO (Regional Accounting Office which is office is within the RBOC regions formed to distribute the administrative and accounting functions of RBOC (col. 3, lines 6-8)).

Such RBOC which uses the legacy technologies to administer customer accounts and track billing activities within their individual regions; RBOC to handle specific customer types and the regional accounting offices within the RBOC region formed to distribute the administrative and accounting functions of the RBOC; and pulling data from the various RAO are considered "retrieving regional rate data for a customer from a local exchange routing guide system".

Furthermore, Rome discloses gathering data from CRIS and CABS, COUs and pulling data from the various RAOs so as to analyze the information to present in a way that conveys the overall profit derived from the customer. Guided by this profit summary, business managers and marketing analysts develops a discount plan that increases the customer's use of telephone services and maximizes profit. (Col. 2, lines 41-40). Rome discloses a customer billing relationship which provides a consolidated view of an account structure, grouping together accounts; relating customers to other customer, providing unique customer –based information (col. 4, lines 10-15).

Such gathering data from CRIS and CABS, COUs and pulling data from the various RAOs so as to analyze the information to present in a way that conveys the overall profit derived from the customer; and customer billing relationship which provides a consolidated view of an account structure, grouping together accounts; relating customers to other customer, providing unique customer –based information are considered "associating the regional rate data with the billing records to create a merged rate and billing record for the customer."

Applicants remark that Rome does not disclose or suggest "receiving a selection of at least one calling plan"; "receiving a group access code, an access customer name abbreviation, and a month"; "querying the access customer analysis database for the at least one selected calling plan"; "calculating a credit the customer receives for subscribing to a calling plan".

The Examiner does not agree. The combination of Rome and Cheslog discloses the recitation above. Examiner directs Applicants' attention to new office action above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARISSA THEIN whose telephone number is (571)272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew S Gart/
Supervisory Patent Examiner, Art
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January 20, 2009